GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Dept.,– NDB-Incorporating the modifications in the bidding document and submitting the Revised Bid document to NDB and Judicial Preview in form- III before publishing tenders- Permission Accorded- Orders- Issued.

TRANSPORT, ROADS AND BUILDINGS (R-I) DEPARTMENT

G.O.RT.No. 331 Dated: 10-10-2020.

Read the following:

1. G.O.Rt.No.195, TR&B(R.I)Dept., Dt:24.06.2020.
2. G.O.Rt.No.246, TR&B(R.I)Dept., Dt:31.07.2020
3. CE(R&B)NABARD & NDB, Lr.No.12060/CTR/RR Plan(Ph I)/DCE(RR) /EE(RR)/DEE5/AEE11/18, Dt:19.09.2020
4. Govt.Memo.No.RDBS0MISC/170/2019, Dt:22/09/2020
5. Govt.Lr.No.RDBS0MISC/170/2019, Dt:23.09.2020.
6. From CE(R&B)NABARD, Lr.no. NDB Works/Judicial Preview/DCE(RR) /EE(RR)/DEE4/AEE8/2020 dt.30 .09.2020 7. NDB email Dt:29.09.2020

*****

ORDER:

In the G.O 1st read above, Government accorded permission to the Chief Engineer(R&B)NABARD & LWE , NDB for using the existing Tender cum Auction available in Central Public Procurement Portal (eprocure.gov.in)maintained by NIC, including procedure for reverse tendering process available in the central portal, for the NDB Works, as specified by NDB and DEA, GOI and also as concurred by the Hon'ble judge, judicial preview Commission.

2. In the G.O 2nd read above, orders issued to incorporate the following modifications in the bidding document and to submit to NDB for concurrence before submitting to the Hon'ble Judge,Judicial Preview in Form III and inviting tenders:

i. The Compliance of Tender Initiating Authority indicated in **Modified Annexure**–A

ii. Permission to incorporate the above compliance indicated in **Modified Annexure –A in the modified bid document**

3. In the reference 3rd read above, the CE(R&B)NABARD & NDB has requested the Government to kindly issue instructions for further course of action, in light of the poor response to the bids.

4. Government after examination, decided to cancel the tenders and go for retenders taking the approval from NDB, and requested to take necessary follow up action and ensure that re tender process is completed within45 days as promised to DEA .The same has been informed to the Chief Engineer(R&B)NABARD & LWE., vide memo 4th cited.

5. The Additional Secretary (Investment & IER),Department of Economic Affairs has informed that, the entire procurement process for the I phase works will be completed within 60days and works will be entrusted to successful agencies, vide Lr 5th cited.

6.

7. In the reference 6th read above, the CE (R&B) NABARD & NDB has requested the Government orders in the following :

The tenders are being recalled duly retaining the earlier Qualification Criteria and one package for each district for APRBRP and one Package for each district for APMCRCIP as approved by the Government vide Memo dt. 27.2.2020.

and

(P.T.O)

for incorporating the following in the bidding document and submitting the Revised Bid document to NDB and Judicial Preview in form III before publishing tenders :

i. Modifications to the bid conditions as indicated in Annexure –A.
ii. Permission to incorporate the above Modifications indicated in Annexure –A in the Revised bid document.

8. In the reference 7th read above, the NDB has informed that they have No Objection in the proposed modifications in the bid document.

9. Government after carefull examination here by approve for incorporating the following in the bidding document and submitting the Revised Bid document to NDB and Judicial Preview in form III before publishing tenders duly retaining the earlier Qualification Criteria and one package for each district for APRBRP and one Package for each district for APMCRCIP as approved by the Government vide Memo dt. 27.2.2020:

i. Modifications to the bid conditions as indicated in Annexure –A.
ii. Permission to incorporate the above Modifications indicated in Annexure –A i n the Revised bid document.

10. In respect of bid security it is proposed to consider B.G.s of Banks located Abroad also with a condition of counter signing by Nationalised Banks located in India. Subject to ensuring that the counter signature (of B.G.s issued by Banks located Abroad by the Nationalised Banks of India)clearly mandates hassle free and timely encashment of B.G.s in case of need. Regarding modification in respect of 'submission of hard copies', the proposal is considered as the same is similar to the W.R.D. instructions issued in March/2020.

11. The Chief Engineer(R&B)NABARD, LWE and NDB, Vijayawada shall take further necessary action in the matter.

12. This order issues with the concurrence of Finance Dept, vide their U.O.No. Fin Uo.No.FIN01-FMUOASD/10/2020-FMU-TR-B, Dt:07/10/2020.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M T KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Engineer (R&B)NABARD & NDB , A.P, Vijayawada.
Copy to:
The Director of Economic Affairs, Ministry of Finance, Govt of India, New Delhi.
The New Development Bank, Delhi
The PS to Secy to CM, CMO, AP Secretariat.
The PS to M(Finance), AP Secretariat.
The Ps to Secy to Finance, AP Secretariat.
The OSD to M (R&B) Dept.
The P.S. to Prl.Secy. , TR&B Dept.,
The Director of Treasuries and Accounts, A.P., Vijayawada.
The Pay and Accounts Officer, AP., Vijayawada.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-A to G.O.Rt.No.331, TR&B(R.I)Dept., Dt:10.10.2020

Compliance to permission accorded by the Hon'ble Judge, Judicial Preview for the Modifications proposed to the bid conditions by the TIA in respect of Bid Security and Physical Submission of Bid security and Power of Attorney due to the prevailing COVID-19 pandemic situation to encourage more participation and competition for Procurement of NDB works (APRBRP & APMCRCIP) to be taken up with loan assistance of New Development Bank in the state of Andhra Pradesh

S.No.	Bid Condition , Clause in the Bid Document	Clause before Judicial Preview	Clause modified after Judicial Preview as per the Findings & Recommendations of the Hon'ble Judge, Judicial Preview after approval of Govt. vide GO RT No.246 T,R&B (RI) Dept. dt.31.7.2020	Modification proposed by the Tender Initiating Authority vide Letter dt: 25.09.2020	Permission received from the Hon'ble Judge , Judicial Preview, Govt. of A.P , Guntur vide letter dt:28.9.2020	Modification now proposed in the bid condition by TIA
1.	Bid Security , 17.2 of IFB	A bank guarantee issued by a **Nationalized/Scheduled bank** located in India or a reputed bank located abroad in the form given in Section X. If the institution issuing the guarantee is located outside India, it shall be **counter signed by a Nationalised /Scheduled bank located in India**, to	A Bank Guarantee issued by a Nationalized bank located in India or the Nationalised Bank / State-bank of India branch located abroad in the form given in Section X In similar lines ITB Cl 35.2 in respect of Performance Security is also modified	A bank guarantee issued by a N**ationalized/ Scheduled bank** (**other than cooperative banks and Regional Rural Banks**) located in India or a reputed bank located abroad in the form given in Section X. If the institution issuing the guarantee is located outside India, it shall be **counter signed by a Nationalised /Scheduled bank located in India**, to make it enforceable	So far as the proposed clause including scheduled bank with modification as **"A bank guarantee issued by a Nationalized/Scheduled bank (other than cooperative banks and Regional Rural Banks) located in India or a reputed bank located abroad in the form given in Section X** .***This modification is permitted for no loss to State.***	Cl 17.2 of ITB is modified as under: A Bank Guarantee issued by a Nationalized/Scheduled bank (other than Co operative Banks and Regional Rural Banks) located in India or a Reputed Bank located abroad in the form given in Section X; If the institution issuing the Guarantee is located outside India, it shall be counter signed by a Nationalized/Scheduled bank located in India, to make it enforceable. In similar lines ITB Cl 35.2 in respect of Performance Security is also modified as under: Performance Security shall be provided by the successful Bidder in the form of a Bank Guarantee issued by a Nationalized/Scheduled bank (other than

		make it enforceable				cooperative banks and Regional Rural Banks) located in India or a reputed bank located abroad in the form given in Section X. If the institution issuing the Guarantee is located outside India, it shall be counter signed by a Nationalized/Scheduled bank located in India, to make it enforceable. The performance security of a Joint Venture shall be in the name of the joint venture.'
2.	Physical Submission of Bid security and Power of Attorney, IFB 3(e)	The original bid security and Power of Attorney for authorizing the signatory of the Bid shall be submitted on or before last date of bids in sealed covers, indicating clearly the Name of Work and IFB No. at any of the following offices failing which the bids of defaulting bidders will not be opened. Documents submitted in SEALED COVERS will only be accepted. i)O/o the Chief Engineer(R&B), Nabard &LWE and NDB. ii) O/o the Superintending Engineer(R&B),_	----------	• Submission of original Hard Copies of the uploaded scan copies of BG towards EMD and Power of Attorney by bidders to the tender Inviting authority, on or before the last date of bids, is optional. The bids will be evaluated and considered for comparison to arrive at L1 value and allowed to participate in reverse bidding only if the Banks who have issued the Bank Guarantee sends an authorised communication to the tender inviting authority with regard to issue of the Bank Guarantees. Any forgery or misinformation in this regard would render the bidder liable for criminal action immediately and	So far as exemption from Physical Submission of originals of Bid Security and Power of Attorney (Cl 3(e) of IFB concerned: As the same is in tune to Govt Memo No.ICDOI-COOR0MISC/22/2020/REFORMS, Dt.27.03.2020 pursuant to this in the Judicial Preview Process, several Project works RFPs finalised with the following and hence permitted**.** "**Submission of original Hardcopies of the uploaded scan copies of DD/BG towards EMD by participating bidders to the Tender Inviting Authority before opening of the price bid is optional** as per Govt. memo NO.ICDOI-COOR0MISC/22/2020/REFORMS,Dt.27.3.2020.	The Clause 3 (e) of IFB is modified as under: • The last date and time for receipt of bids through e-tendering portal https://eprocure.gov.in is ---------- at ---- PM (IST). Part I bids will be opened on -------- at ------ PM (IST). • Submission of original Hard Copies of the uploaded scan copies of BG towards EMD and Power of Attorney by participating bidders to the Tender Inviting Authority before opening of the price bid is optional. The bids will be evaluated and considered for comparison to arrive at L1 value and allowed to participate in reverse bidding only if the Banks who have issued the Bank Guarantee sends an authorised communication to the tender inviting authority with regard to issue of the Bank Guarantees. Any forgery or misinformation in this regard would render the bidder liable for criminal action immediately and invariably. • All the bidders shall invariably upload the scanned copies of BG and Power of Attorney in e- Procurement system and this will be the primary requirement to consider the bid as responsive.

				invariably. • All the bidders shall invariably upload the scanned copies of BG and Power of Attorney in e- Procurement system and this will be the primary requirement to consider the bid as responsive. • An Affidavit in the prescribed format has to be uploaded by the bidder along with their bid. • The successful bidder shall invariably furnish the original BG towards EMD and Power of Attorney, certificates/documents of the uploaded scanned copies to the Tender Inviting Authority before entering into agreement either personally or through courier or post and the receipt of the same within the stipulated date shall be the responsibility of the successful bidder.	**The draft Affidavit is slightly modified**	• An Affidavit in the prescribed format specified in Section IV has to be uploaded by the bidder along with their bid. • The successful bidder shall invariably furnish the original BG towards EMD and Power of Attorney, certificates/documents of the uploaded scanned copies to the Tender Inviting Authority before entering into agreement either personally or through courier or post and the receipt of the same within the stipulated date shall be the responsibility of the successful bidder. • If any successful bidder fails to submit the original Hard Copies of uploaded certificates/Documents, BG towards EMD and Power of Attorney within the stipulated time or if any variation is noticed between the uploaded documents and the hard copies submitted by the bidder, the successful bidder will be suspended from participating in the tenders of State of Andhra Pradesh for a period of 3 years.

				• If any successful bidder fails to submit the original Hard Copies of uploaded certificates/Documents , BG towards EMD and Power of Attorney within the stipulated time or if any variation is noticed between the uploaded documents and the hard copies submitted by the bidder, the successful bidder will be suspended from participating in the tenders of State of Andhra Pradesh for a period of 3 years.		

M T KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT